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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

MARK STOYAS, NEW ENGLAND
TEAMSTERS & TRUCKING
INDUSTRY PENSION FUND, and
AUTOMOTIVE INDUSTRIES
PENSION TRUST FUND, individually
and on behalf of all others similarly
situated,

Plaintiffs,

v.

TOSHIBA CORPORATION, a Japanese
Corporation,

Defendant.

Case No. 2:15-cv-04194-DDP-JC

**JOINT STIPULATION ON
BRIEFING SUMMARY
JUDGMENT PURSUANT TO
JANUARY 7, 2022 ORDER AND
ON EXTENSION OF CASE
DEADLINES**

1 Plaintiffs Automotive Industries Pension Trust Fund (“AIPTF”) and New
 2 England Teamsters & Trucking Industry Pension Fund (“NETTIPF”), and
 3 Defendant Toshiba Corporation (“Toshiba,” and together with Plaintiffs, “Parties”),
 4 respectfully submit this joint stipulation on briefing summary judgment pursuant to
 5 the Court’s January 7, 2022 Order and on extension of case deadlines. Beyond the
 6 express provisions herein, all Parties reserve all of their rights, claims, defenses,
 7 privileges and immunities.

8 **STIPULATION**

9 WHEREAS, on January 7, 2022, in conjunction with its ruling denying
 10 Plaintiffs’ Motion for Class Certification (ECF No. 146), this Court issued an order
 11 (ECF No. 147) (“Order”) directing Toshiba to file a motion for summary judgment
 12 on Plaintiffs’ JFIEA claim “on or before February 7, 202[2],” and also inviting the
 13 Parties to “propose an alternative date by way of stipulation”;

14 WHEREAS, pursuant to Local Rule 7-3 of the Central District of
 15 California’s Local Civil Rules, the Parties, through their counsel, held a conference
 16 on January 19, 2022, and again on January 24, 2022 to discuss the anticipated
 17 motion for summary judgment, including a briefing schedule:

18 NOW THEREFORE, the Parties hereby stipulate and agree, subject to
 19 approval by the Court, that:

- 20 1. Toshiba shall file its motion for summary judgment on Plaintiffs’ JFIEA
 21 claim on or before March 7, 2022.
- 22 2. Within 60 days after Toshiba files its motion for summary judgment on
 23 Plaintiffs’ JFIEA claim, Plaintiffs shall file any opposition thereto.
- 24 3. Within 30 days after Plaintiffs file an opposition to Toshiba’s motion for
 25 summary judgment on Plaintiffs’ JFIEA claim, Toshiba shall file any
 26 reply memorandum.

4. The case deadlines previously set by the Court in its Order Modifying the Case Scheduling Order (ECF No. 124) shall be extended as follows, in contemplation that the Parties will not be engaging in merits discovery, unless it is related to the motion for summary judgment, during the current briefing and resolution of the motion for summary judgment directed by the Court's January 7, 2022 Order:

Action	Previous Date	New Date
Fact discovery cutoff	March 25, 2022	October 21, 2022
Deadline for opening expert reports	April 22, 2022	November 18, 2022
Deadline for rebuttal expert reports	May 20, 2022	December 16, 2022
Expert discovery cutoff	June 24, 2022	January 20, 2023
Deadline to file dispositive motion(s)	August 25, 2022	March 23, 2023
Opposition(s) to dispositive motion(s)	October 6, 2022	May 4, 2023
Reply(ies) in support of dispositive motion(s)	November 17, 2022	June 15, 2023
Final pretrial conference	February 13, 2023 11:00 a.m.	September 13, 2023 11:00 a.m.
Jury Trial	March 14, 2023 9:00 a.m.	October 11, 2023 9:00 a.m.

5. Nothing in the above stipulation precludes any party from seeking modification of the above deadlines in the event that circumstances in this Action change or for good cause shown, e.g., Toshiba's motion for summary judgment on Plaintiffs' JFIEA claim is still pending with the Court.

1 Dated: January 27, 2022

Respectfully submitted,

2 WHITE & CASE LLP

3 By: /s/ Bryan A. Merryman
Bryan A. Merryman

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5 (*pro hac vice*)
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14 Attorneys for Defendant
Toshiba Corporation

15 Dated: January 27, 2022

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23
24
25 Lead Counsel for Plaintiffs
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Certificate Pursuant to Local Rule 5-4.3.4(a)(2)(i)

I, Bryan A. Merryman, am the ECF User whose ID and password are being used to file this Joint Stipulation On Briefing Summary Judgment Pursuant To January 7, 2022 Order And On Extension Of Case Deadlines. In compliance with Civil L.R. 5-4.3.4(a)(2)(i), I hereby attest that Willow E. Radcliffe has concurred in this filing.

/s/ Bryan A. Merryman

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